

19900227

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, FEBRUARY 27, 1990  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Wolfshiemer at 10:11 a.m. The meeting was recessed by Deputy Mayor Wolfshiemer at 11:52 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Wolfsheimer at 2:12 p.m. with Council Members Roberts and Pratt and Mayor O'Connor not present. Deputy Mayor Wolfsheimer adjourned the meeting at 4:17 p.m. to convene the Housing Authority Meeting.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-excused by R-275601  
(attend U.S. Conference of Mayors)
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Clerk-Abdelnour (rb/tm)

FILE LOCATION: MINUTES

Feb-27-1990

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present

- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Feb-27-1990

ITEM-310: WELCOMED

Welcoming a group of approximately 50 students from Keiller Middle School, accompanied by their counselor, Deborah Brown. This group will arrive at approximately 10:30 a.m. (District-4.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A544-553.)

ITEM-330: CONTINUED TO MARCH 13, 1990, AT  
10:00 A.M.

The subject property (approximately 51.3 acres) is located at a southerly terminus of La Trucha Street between Stargaze Avenue and Rotherham Way, and is further described as a portion of the southwest quarter of the northeast quarter of Section 12, Township 14 South, Range 3 West, S.B.B.M., in the Penasquitos East Community Plan area, proposing the actions listed below.

ADDITIONAL ACTIONS RELATING TO THE APPROVAL OF THE SUNSET HILLS NEIGHBORHOOD PARK AGREEMENT, REQUEST FOR WAIVER OF THE MIDRANGE DENSITY RESOLUTION R-268424, AND AN EXCEPTION FOR THE PENASQUITOS EAST FINANCING AND PHASING PLAN MAY BE TAKEN BY THE COUNCIL.

- 1) Rezoning the above described real property from Zone A-1-10 (HRO) to Zones R1-5000 (HRO) and OSP; and
- 2) Appeal of Raymond and Frederick Hampe, by Edward F. Gabrielson, from the decision of the Planning Commission in denying Vesting Tentative Map VTM-87-0115 (Hampe Hills), which proposes a 149-lot subdivision on the above described real property.

(Case & VTM-87-0115. District-1.)

Subitem-A: (R-89-1237)

Adoption of a Resolution certifying that the information contained in the addendum to Environmental Mitigated Negative Declaration EMND-87-0115, dated 10/10/89, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-90- )

Adoption of a Resolution approving or denying the map.

Subitem-C: (O-89-141)

Introduction of an Ordinance for R1-5000 (HRO) and Open Space Park (OSP) Zoning.

Subitem-D: (R-90- )

Adoption of a Resolution approving or denying the park agreement.

Subitem-E: (R-90- )

Adoption of a Resolution approving or denying the waiver of the midrange density resolution.

Subitem-F: (R-90- )

Adoption of a Resolution approving or denying an exception for the Penasquitos East Financing and Phasing Plan.

Subitem-G: (R-90- )

Adoption of a Resolution directing the City Manager to expedite and authorize an advance grading permit (encroachment).

FILE LOCATION: SUBITEMS-A,D,E,F: LAND - PENASQUITOS EAST COMMUNITY PLAN; SUBITEMS-B,G: SUBD - HAMPE HILLS; SUBITEM-C: --

COUNCIL ACTION: (Tape location: A104-028.)

MOTION BY HARTLEY TO CONTINUE THE ITEM TO MARCH 13, 1990, AS REQUESTED BY MATT PETERSON. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-331: CONTINUED TO MARCH 13, 1990

Matter of areas that have been proposed in the Greater North Park community to be classified as protected single-family neighborhoods. These areas are shown on Map 1A. Rezoning and amendments to the residential density designations in the Greater North Park Community Plan are proposed to implement the single family classifications in some areas as shown on Map 1B. In other areas the existing zoning and plan density designations are already consistent with the protected single-family classification. The Greater North Park Community Planning Committee has proposed an alternative recommendation as shown on Map 2.

Upon adoption of the protected single-family neighborhood maps by the City Council, those areas of the community that are not mapped as protected single-family neighborhoods, with the exception of an area bounded by I-8 to the north, El Cajon Boulevard to the south, Texas Street to the west and I-805 to the east, shall be released from the provisions of the Single-Family Protection Ordinance O-17250 N.S., adopted on February 21, 1989. Subsequently, property owners in these areas will be able to apply for permits to construct multi-family residential developments as permitted by the applicable zone. Larger scale maps showing proposed protected single-family neighborhoods and proposed rezonings and plan amendments are available for public review at the City Planning Department on the 6th Floor of the Executive Complex, located at 1010 Second Avenue, San Diego, CA 92101.  
(Case-89-0728. District-3.)

Subitem-A: (O-90-127)

Introduction of an Ordinance for R1-5000 Zoning.

Subitem-B: (R-90-1060)

Adoption of a Resolution approving the plan amendment.

Subitem-C: (R-90-1061)

Adoption of a Resolution to release certain property from the provisions of the Single-Family Neighborhood Protection Ordinance.

FILE LOCATION: SUBITEM-A: --; SUBITEMS-B&C: LAND - GREATER NORTH PARK COMMUNITY PLAN

COUNCIL ACTION: (Tape location: A034-543.)

Hearing began at 10:15 a.m. and halted at 10:47 a.m.

Testimony in favor by Gordon Howard.

Testimony in opposition by Margo Curtis.

MOTION BY HARTLEY TO CONTINUE THE ITEM TO MARCH 13, 1990, WITH DIRECTION TO THE CITY ATTORNEY TO INCLUDE AMENDMENTS IN THE DOCUMENTS AS FOLLOWS: TO CONTINUE THAT PORTION OF THE AREA BETWEEN TEXAS STREET AND EL CAJON BOULEVARD UNTIL THE MASTER PLANNING IS DONE. DIRECT THE CITY ATTORNEY TO AMEND THE ORDINANCE TO INCORPORATE IN THE R1-5000 ZONE THE FOLLOWING ADDITIONAL AREAS, SPECIFICALLY THOSE LOTS ON MEADE, MADISON, MONROE, AND MISSION AVENUE AS RECOMMENDED BY THE GREATER NORTH PARK COMMITTEE; AND TO AMEND RESOLUTIONS R-90-1060 AND R-90-1061 TO BE CONSISTENT WITH THIS MOTION. DIRECT THE PLANNING DEPARTMENT TO MEET WITH COUNCIL MEMBERS HARTLEY AND HENDERSON TO DISCUSS THIS PROJECT DURING THE TIME OF CONTINUANCE. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

#### ITEM-332:

Matter of areas within the Southeast San Diego Community that have been proposed for classification as protected single family neighborhoods, or have been identified as having a special character that can be preserved through multi-family design standards.

The proposed protected single family areas include all portions of the community currently zoned for single family development and one additional area in the Mountain View neighborhood. In this one additional area (shown on Map B-3944 Sheet 1) the existing zoning would be changed from MF-3000 to SF-5000, and the community plan residential density designation would change from 10-17 dwelling units per acre to 5-10 dwelling units per acre.

The majority of the proposed special character multi-family neighborhoods are currently zoned MF-3000 and MF-2500, as shown on Maps A and B. The Southeast San Diego community planning group recommends that portions of the Memorial Neighborhood (shown on Map A) be classified as a special character neighborhood in addition to the areas recommended by the Planning Department. Rezonings are not being proposed in these areas, but special design regulations are

being considered. If adopted, these design regulations would affect where units can be placed on a lot and limit the size of lot consolidations. The existing number of units that is permitted on each lot (per the current zone regulations) will not change.

There are two areas currently zoned MF-1500 within the proposed special character multi-family neighborhoods (shown on Map B-3944 Sheets 1 and 2) where the MF-1500 zone would be changed to MF-3000 and the community plan residential density designation would be changed from 17-30 dwelling units per acre to 10-17 dwelling units per acre. These areas would also be subject to the design regulations described above.

#### ZONE DENSITIES

SF (Single Family)	MF (Multiple-Family)	sq. ft. (Square Feet)
Zone	Maximum Dwelling Units Per Net Acre	Required Land Area Per Dwelling Unit
SF-5000	maximum 1 unit per legal lot	5,000 sq. ft.
MF-3000	14.52	3,000 sq. ft.
MF-2500	17.42	2,500 sq. ft.
MF-1500	29.04	1,500 sq. ft.

(Districts-3, 4 and 8.)

Subitem-A: (R-90-750) ADOPTED AS RESOLUTION R-275222

Adoption of a Resolution approving the protected single-family neighborhood maps in the Southeast San Diego Community Plan area.

Subitem-B: (O-90-88) INTRODUCED AS AMENDED, TO BE ADOPTED MARCH 12, 1990

Introduction of an Ordinance for SF-3000 and MF-3000 Zoning.

Subitem-C: (R-90-749) ADOPTED AS RESOLUTION R-275223

Adoption of a Resolution amending the community plan.

Subitem-D: (O-90-87) INTRODUCED AS AMENDED, TO BE ADOPTED MARCH 12, 1990

Introduction of an Ordinance amending the Municipal Code relating to Southeast San Diego Planned District Ordinance.

FILE LOCATION: LAND - Southeast San Diego Community Plan

COUNCIL ACTION: (Tape location: D015-191.)

Hearing began at 2:12 p.m. and halted at 2:28 p.m.

Council Member Hartley left at 2:12 p.m. stating that he did not want to participate in the discussion since he owns property in this area.

Council Members Roberts and Pratt entered at 2:15 p.m.

Testimony in favor by Sarah Jean Buncom and Verna M. Quinn.

MOTION BY PRATT TO APPROVE WITH SPECIFIC DESIGN CRITERIA FOR THE MEMORIAL AREA WITHIN THE MF-3000 ZONE. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-333: CONTINUED TO MAY 8, 1990 AT 2:00 P.M.

(Continued from the meetings of December 4, 1989, Item 54 and January 29, 1990, Item 200; last continued at the request of Rebecca Michaels of Peterson & Price, for further review.)

Two actions relative to the Mission Valley Planned District Ordinance:

(Mission Valley Community Area. District-5.)

Subitem-A: (O-89-230 Rev. 1)

Adoption of an Ordinance amending Chapter X, Article 3, of the San Diego Municipal Code by adding Division 21, relating to the Mission Valley Planned District.

(Introduced as amended on 11/14/89. Council voted 5-0. Districts 1, 2, 8 and Mayor not present.)

Subitem-B: (O-89-231)

Adoption of an Ordinance incorporating various properties into the Mission Valley Planned District Ordinance for the purposes of implementing the Mission Valley Community Plan; for development intensity purposes, this Ordinance also incorporates those properties in the Linda Vista Community Plan area adjacent to Friars Road.

(Introduced on 11/14/89. Council voted 5-0. Districts 1, 2, 8 and Mayor not present.)

FILE LOCATION: LAND - Mission Valley Planned District

COUNCIL ACTION: (Tape location: D191-E152.)

Hearing began at 2:28 p.m. and halted at 3:07 p.m.

Testimony in favor by Jerald Alford.

Testimony in opposition by Matt Peterson, Jim Johnson, Ken Kellogg and Shorty Beights.

Motion by Bernhardt to return item to Planning Department for re-evaluation and coordination with her staff. Second by Hartley. No vote.

MOTION BY BERNHARDT TO RE-NOTICE AND CONTINUE TO MAY 8, 1990 TO ALLOW TIME FOR STAFF TO APPLY HER AMENDMENTS. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S404:

Five actions relative to the Special Municipal Election of June 5, 1990:

Subitem-A: (O-90-149) CONTINUED TO MARCH 7, 1990

Introduction and adoption of an Ordinance of the City of San Diego, California, ordering, calling, providing for and giving notice of a Special Municipal Election to be held in the City on June 5, 1990, for the purpose of submitting to the qualified voters of the City of San Diego one proposition amending the Charter of the City of San Diego by amending Charter Sections 4 and 12, one proposition amending the Charter of the City of San Diego by amending Charter Section 5, one proposition adopting an Ordinance changing the appropriations limit for Fiscal Years 1992 through 1995, one proposition amending People's Ordinance No. 7691 and amending Chapter VI, Article 6, Division 1 of the San Diego Municipal Code by amending Section 66.0123 relating to the Collection and Disposal of City Refuse, one proposition relating to an Advisory Vote on Levying a Utility Users' Tax on Commercial and Industrial Users, and consolidating the Special Municipal Election with the State Primary Election to be held in the City on June 5, 1990.

Subitem-B: (R-90-1373) ADOPTED AS RESOLUTION R-275224

Adoption of a Resolution of the Council of the City of San Diego, California, determining that the public interest and necessity demand the acquisition and construction or completion of Police and Fire Department Communications and Dispatch Facilities; and making certain other findings and determinations in connection therewith.



Subitem-C: (O-90-152) CONTINUED TO MARCH 7, 1990

Introduction and adoption of an Ordinance of the City of San Diego, California, ordering, calling, providing for and giving notice of a Special Municipal Bond Election to be held in the City of San Diego on June 5, 1990 for the purpose of submitting to the qualified voters of the City of San Diego a proposition to incur general obligation bonded indebtedness by the City for Police and Fire Communications and Dispatch Facilities and consolidating the Special Municipal Bond Election with the Statewide Primary Election to be held on the same date.

Subitem-D: (O-90-150) CONTINUED TO MARCH 7, 1990

Introduction and adoption of an Ordinance amending Chapter III of the San Diego Municipal Code by adding Article 6, Division 1, and Section 36.0101 providing for the levy and collection of a special tax for Police Protection Services subject to the approval of two-thirds of the voters voting upon the proposition within the City of San Diego; calling and providing for the holding of a Special Municipal Election within the City on June 5, 1990, for the purpose of submitting the proposition to the voters of the City; ordering such election to be consolidated with the Statewide Primary Election to be held on such date; and making certain other findings and determinations in connection therewith.

Subitem-E: (R-90-1374) CONTINUED TO MARCH 7, 1990

Adoption of a Resolution of the Council of the City of San Diego requesting the consolidation of a Special Municipal Election to be held in the City of San Diego on June 5, 1990, with the Statewide Primary Election to be held on the same date.

FILE LOCATION: Subitem-B - MEET Subitems-A,C,D,E --

COUNCIL ACTION: (Tape location: A561-C216; E152-F278.)

Motion by McCarty to direct the City Attorney to prepare, and bring back in the afternoon for Council consideration, appropriate language for an advisory vote to the City: "Shall the City Council establish a housing trust fund and provide funds in the future?" Second by Henderson. Failed. Yeas: 5,6,7. Nays: 1,2,3,4,8. Not present: M.

Motion by McCarty to place the trash collection fees initiative

on the ballot as worded on page 19 of attorney ordinance O-90-149. Second by Wolfsheimer. No vote.

Motion by Filner to continue all budget issues to the Special Meeting on March 7, 1990. Second by Roberts. No vote.

Motion by Roberts to approve the recommended budget cuts as stated in his memo dated February 27, 1990. No second.

Motion by Henderson to continue everything except the Police Bond Issue. No second.

Motion by Filner to continue the Gann Initiative, the Trash Recycling Issue, the Utility Users Tax Issue, the Bond Election Issue, the Police Protection Tax Issue and the Consolidated Elections Issue. No second.

**MOTION BY McCARTY TO ADOPT THE CITY MANAGER'S RECOMMENDATION TO**

**ADOPT RESOLUTION R-90-1373, AND CONTINUE ALL OTHER ISSUES TO THE SPECIAL MEETING TO BE HELD ON MARCH 7, 1990 AT 2:00 P.M. BEFORE THE RULES COMMITTEE MEETING.** Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

Motion by Bernhardt to go back to zero-based budgeting and in accordance with Rule 33, meet as the Budget Review Committee to go department by department to come up with a balanced budget. Second by Wolfsheimer. City Attorney Fitzpatrick ruled that this type of discussion was in violation of the rules of the Brown Act, and this discussion would need to be taken up at the Special Meeting of March 7, 1990.

**ITEM-S406: (R-90-1371) ADOPTED AS RESOLUTION R-275225**

Bond Counsel, retention of for Public Safety General Obligation Bond Issue.

**FILE LOCATION: MEET**

**COUNCIL ACTION: (Tape location: F278-420.)**

**MOTION BY McCARTY TO APPROVE PAYMENT FOR PAST SERVICES AND APPROVE THE LAW FIRM OF JENNINGS, ENGSTRAND AND HENRICKSON FOR BOND COUNSEL SHOULD COUNCIL VOTE TO PUT THE BONDS ON THE BALLOT AT THEIR SPECIAL MEETING OF MARCH 7, 1990.** Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea,

Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor

O'Connor-not present.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Deputy Mayor Wolfsheimer at 4:17 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F420).